

PUBLIC NOTICE

**CHARLESTON DISTRICT, CORPS OF ENGINEERS
69-A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405**

REGULATORY DIVISION
Refer to: P/N #SAC-2007-0519-1ID

27 April 2007

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**LIGHTHOUSE REAL ESTATE HOLDINGS
2930 JODECO DRIVE
JONESBORO, GEORGIA 30236**

for a permit to construct a community dock in

BATTERY CREEK

located at 2004 Berkley Circle, in the Town of Port Royal, Beaufort County, South Carolina.

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, TUESDAY, 29 MAY 2007

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of construction of a community dock. In detail, the work consists of the construction of a 940' long x 4' wide walkway with an attached 20' x 20' fixed covered pierhead. Attached to the pierhead will be the installation of three 16' x 20' floating docks. Also proposed is the installation of 3 boatlifts, one at each floating dock section. The purpose of this facility will be for the private recreational use of the 3 lot owners of the adjoining property.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69-A Hagood Avenue
Charleston, South Carolina 29403**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.10 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Mr. Dean Herndon at 843-329-8044.

Steve Brooks
Project Manager
SCDHEC-OCRM

CHRISTENSEN ~ KHALIL SURVEYORS, INC.

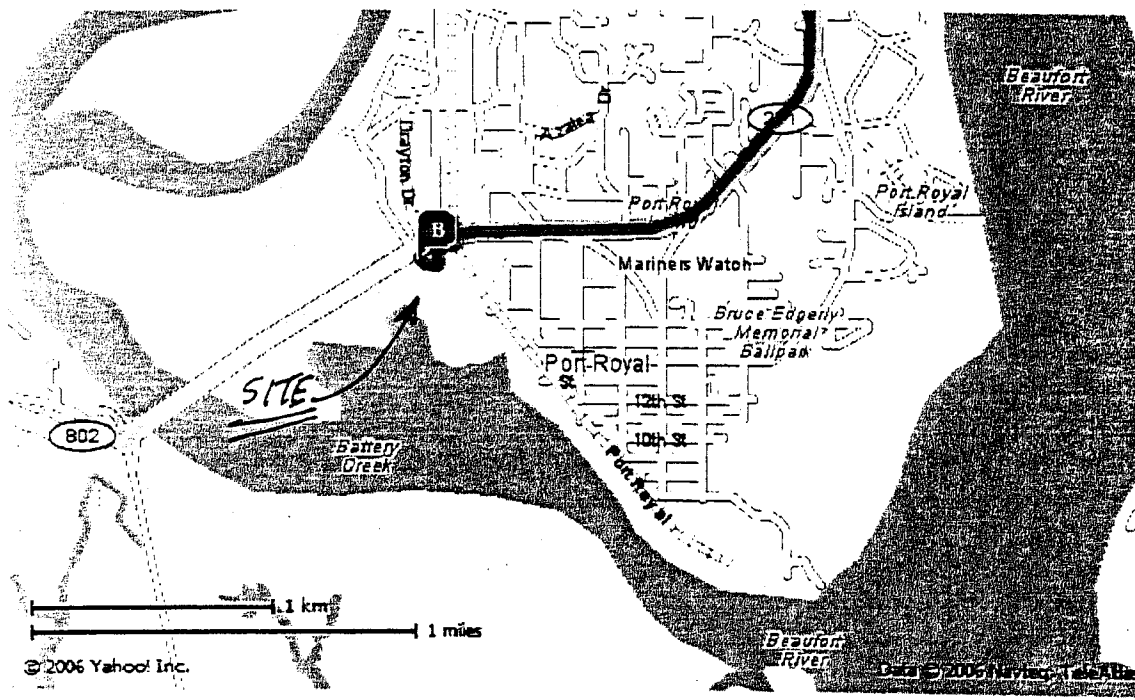
1816 BOUNDARY STREET, BEAUFORT, S.C. 29902
(803) 524-4148 . FAX (803) 524-8864

A 104 PARKER DRIVE, BEAUFORT, SC 29906

1. Start at **104 PARKER DR, BEAUFORT** going toward **HILANDA DR** - go **0.6 mi**
2. Turn **(R)** on **TRASK PKY[US-21]** - go **3.0 mi**
3. Continue to follow **US-21 SOUTH** - go **5.3 mi**
4. Continue on **RIBAUT RD[SC-802]** - go **1.5 mi**
5. Turn **(L)** on **BERKLEY CIR** - go **0.1 mi**
6. Arrive at **2004 BERKLEY CIR, PORT ROYAL**, on the **(L)**

B 2004 BERKLEY CIR, PORT ROYAL, SC 29935-1802

Total Distance: 10.6 miles, Total Travel Time: 18 mins



OCRM PERMIT #

APPLICANT:

LIGHTHOUSE REAL ESTATE HOLDINGS, LLC
2930 JODECO DRIVE
JONESBORO, GA. 30238

ACTIVITY:

COMMUNITY DOCK

LOCATION:

2004 BERKELEY CIRCLE
PORT ROYAL, SC. 29935
R110 0010 000 003,331 & 332

COUNTY:

BEAUFORT

DATED:

NOV. 27, 2006

ADJACENT PROPERTY:

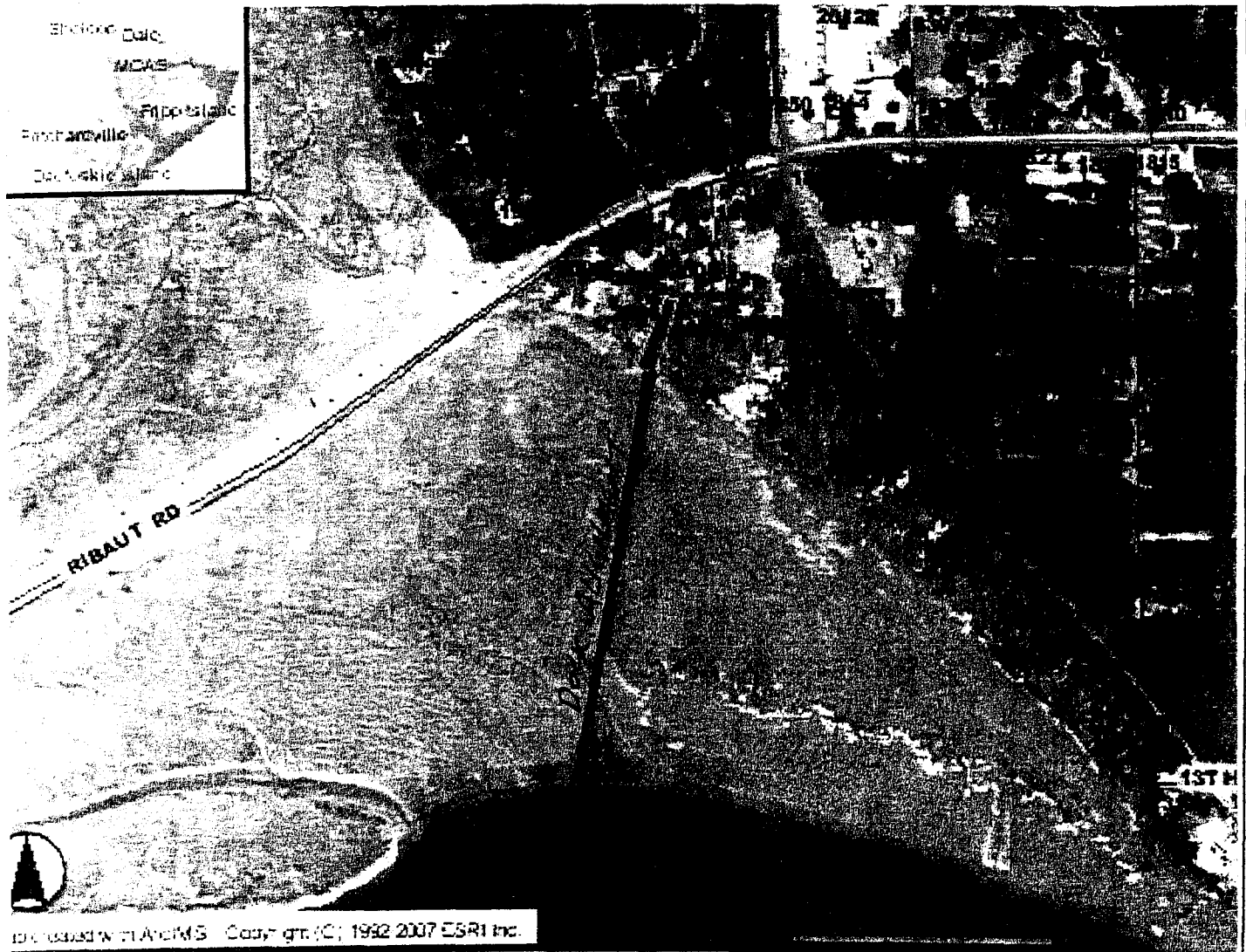
- 1) JOYCE HOLDER
P.O.BOX 1344
BEAUFORT SC. 29901
- 2) PHILLIPS BERKELEY
2005 BERKELEY CIRCLE
PORT ROYAL SC. 29935

Sh 1 of 5

CHISTENSEN-KHALIL SURVEYORS, INC.

1816 BOUNDARY STREET, BEAUFORT SC 29902

Ph.: (843) 524-4148 Fax: (843) 524-4149



OCRM PERMIT#:

APPLICANT:

LIGHTHOUSE REAL
ESTATE HOLDINGS LLC
2930 JODECO DRIVE
JONESBORO, GA 30236

ACTIVITY: COMMUNITY DOCK

LOCATION:

2008 BERKLEY CIRCLE
POT ROYAL, SC 29935

TMN: R110 010 000 0331 0000

COUNTY: BEAUFORT

DATED: NOV. 27, 2006

ADJACENT PROPERTY:

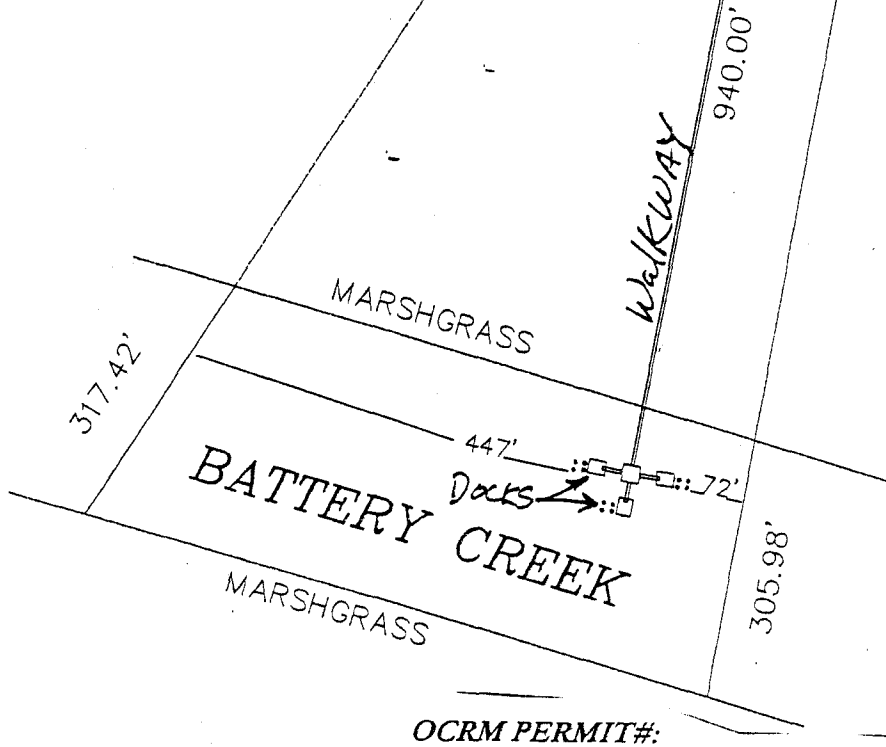
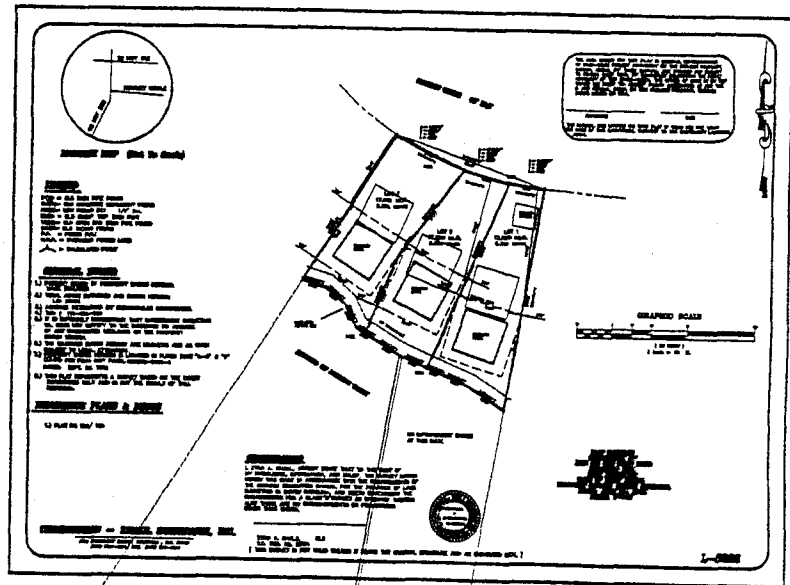
- 1) JOYCE V. CAROLYN B. HOLDER
P.O. BOX 1344
BEAUFORT, SC 29901
- 2) PHILLIPS BOYD BERKELEY
2005 BERKLEY CIRCLE
PORT ROYAL, SC 29935

Sh. 2 of 5

CHISTENSEN-KHALIL SURVEYORS, INC.

1816 BOUNDARY STREET, BEAUFORT SC 29902

Ph.: (843) 524-4148 Fax: (843) 524-4149



OCRM PERMIT#:

APPLICANT:

LIGHTHOUSE REAL
ESTATE HOLDINGS LLC
2930 JODECO DRIVE
JONESBORO, GA 30236

ACTIVITY:

COMMUNITY DOCK

LOCATION:

2008 BERKLEY CIRCLE
POT ROYAL, SC 29935

TMN: R110 010 000 0331 0000

COUNTY: BEAUFORT

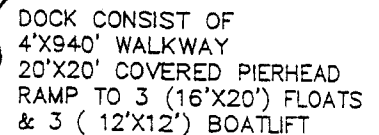
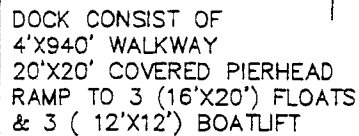
DATED: NOV. 27, 2006

ADJACENT PROPERTY:

- 1) JOYCE V. CAROLYN B. HOLDER
P.O. BOX 1344
BEAUFORT, SC 29901
- 2) PHILLIPS BOYD BERKELEY
2005 BERKLEY CIRCLE
PORT ROYAL, SC 29935

Sh. 3 of 5

1816 BOUNDARY STREET, BEAUFORT, S.C. 29902
(843) 524-4148 , FAX (843) 524-4149



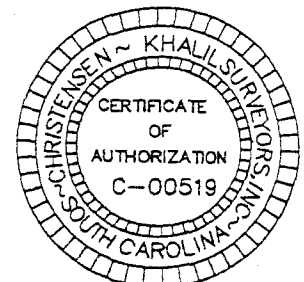
I HEREBY CERTIFY THAT THE DISTANCES THAT PERTAIN TO CRITICAL LINE AND MARSH LINES ARE CORRECT AND THAT THERE ARE NO ENCROACHMENTS ACROSS EXTENDED PROPERTY LINE.

OCRM PERMIT #

COMMUNITY DOCK

BEAUFORT
NOV. 27, 2006

- 1.) JOYCE HOLDER
P.O.BOX 1344
BEAUFORT SC. 29901
- 2.) PHILLIPS BERKELEY
2005 BERKELEY CIRCLE
PORT ROYAL SC. 29935

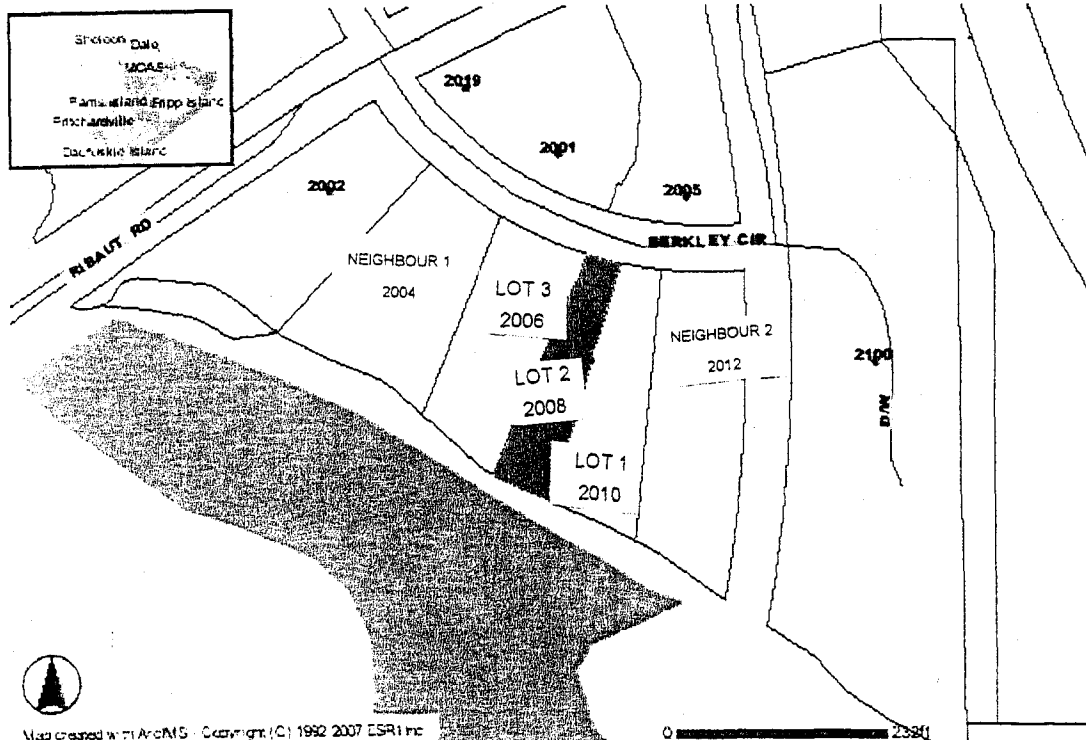


Sh. 4 of 5

CHISTENSEN-KHALIL SURVEYORS, INC.

1816 BOUNDARY STREET, BEAUFORT SC 29902

Ph.: (843) 524-4148 Fax: (843) 524-4149



TMN'S:	LOCATION ADDRESS:	OWNER & OWNERS ADDRESS:
LOT 1 R110 010 000 0003 0000	2010 BERKLEY CIRCLE PORT ROYAL, SC 29935	LIGHTHOUSE REAL ESTATE HOLDINGS LLC 2930 JODECO DRIVE JONESBORO, GA 30236
LOT 2 R110 010 000 0331 0000	2008 BERKLEY CIRCLE PORT ROYAL, SC 29935	LIGHTHOUSE REAL ESTATE HOLDINGS LLC 2930 JODECO DRIVE JONESBORO, GA 30236
LOT 3 R110 010 000 0332 0000	2006 BERKLEY CIRCLE PORT ROYAL, SC 29935	LIGHTHOUSE REAL ESTATE HOLDINGS LLC 2930 JODECO DRIVE JONESBORO, GA 30236
NEIGHBOUR 1 (northwest) R110 010 000 0002 0000	2004 BERKLEY CIRCLE PORT ROYAL, SC 29935	JOYCE V. CAROLYN B. HOLDER P.O. BOX 1344 BEAUFORT, SC 29901
NEIGHBOUR 2 (southeast) R110 010 000 0247 0000	2012 BERKLEY CIRCLE PORT ROYAL, SC 29935	PHILLIPS BOYD BERKELEY 2005 BERKLEY CIRCLE PORT ROYAL, SC 29935

OCRM PERMIT#:

APPLICANT: LIGHTHOUSE REAL ESTATE HOLDINGS LLC 2930 JODECO DRIVE JONESBORO, GA 30236 ACTIVITY: COMMUNITY DOCK	LOCATION: 2008 BERKLEY CIRCLE POT ROYAL, SC 29935 TMN: R110 010 000 0331 0000 COUNTY: BEAUFORT DATED: NOV. 27, 2006	ADJACENT PROPERTY: 1) JOYCE V. CAROLYN B. HOLDER P.O. BOX 1344 BEAUFORT, SC 29901 2) PHILLIPS BOYD BERKELEY 2005 BERKLEY CIRCLE PORT ROYAL, SC 29935
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Sh. 5 of 5